

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

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D. RUSSO INC. et al.,

Plaintiffs,

v.

JEFFREY CHIESA et al.,

Defendants.

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Civil Action No. 12-2397 (SRC)

**OPINION & ORDER**

**CHESLER, U.S.D.J.**

This matter comes before the Court on two motions for reconsideration, pursuant to L. Civ. R. 7.1(i): 1) the motion by Plaintiffs D. Russo Inc. t/a “H22,” Kevin Hickey (“Hickey”), and the estate of Daniel Russo (collectively, “Plaintiffs”); and 2) the cross-motion by Defendants Daniel Antonelli, Suzette Cavados, Manuel Figueiredo, Joseph Florio, Kevin Kalendek, Ronald Manzella, Richard Milanda, Clifton People, Anthony Terrezza, and the Township of Union (collectively, the “Township.”) For the reasons stated below, both motions will be denied.

Both parties move for reconsideration of this Court’s Opinion and Order entered August 2, 2017. Plaintiffs also move for reconsideration of this Court’s Opinion and Order entered May 16, 2013. Plaintiffs moved for reconsideration on April 6, 2018 – over 8 months after the later decision, and close to five years after the earlier decision. L. Civ. R. 7.1(i) states: “ a motion for reconsideration shall be served and filed within 14 days after the entry of the order or judgment on the original motion.” Plaintiffs’ brief offers no explanation for the lengthy delay in filing this motion, but points to an attorney certification which details many challenges in the attorney’s personal life which occurred after August of 2017. The Court observes that Plaintiffs’ arguments

cite no new law or newly discovered evidence as a basis for the delay. It appears that Plaintiffs' arguments could have been asserted within the time period allowed by L. Civ. R. 7.1(i). The same observations are true for Defendants' cross-motion.

Both motions are untimely and will be denied.

For these reasons,

**IT IS** on this 21st day of May, 2018

**ORDERED** that Plaintiffs' motion for reconsideration (Docket Entry No. 105) is **DENIED**; and it is further

**ORDERED** that Defendants' cross-motion for reconsideration (Docket Entry No. 107) is **DENIED**.

s/ Stanley R. Chesler  
Stanley R. Chesler, U.S.D.J.